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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF: RELIGIOUS INTOLERANCE

Written statement*/ submitted by the Association of World Citizens, a non-governmental organization on the Roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 December 2000]

*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

GE. *200*0*0473*

ENG

The ban on the Falun Gong spiritual practice and continued government repression

1) In a Written Statement, E/CN.4/2000/NGO/2 of 20 January 2000, the Association of World Citizens set out the nature of the banning of the spiritual practice Falun Gong by the security authorities of the People's Republic of China on 22 July 1999, followed by subsequent widespread repression.

2) Unfortunately, one year later, the ban is still maintained and repression of Falun Gong practitioners remains widespread. As an editorial in the *China Daily* states "The fight against Falun Gong is a long-term and arduous one. The nature of the cult is heretical, its energy, stubbornness and destructive power all lie in heresy. This is a major political issue that concerns the fate of the nation and the people." (*China Daily*, 6 November 1999). In addition, building on its offensive against the Falun Gong, the Chinese Government has moved to assert its authority over other spiritual movements and Qi gong schools, including those officially registered, such as the closing in December 1999 of the Zhong Gong Traditional Culture Training Institute in Shaanxi Province and ending the manufacture of Zhong Gong health and medicinal products.

3) A useful background paper on Falun Gong was published by Amnesty International "*The Crackdown on Falun Gong and Other so-called "Heretical Organizations"* 23 March 2000, which has been updated since. Also useful for background and testimonies of Falun Gong practitioners is Danny Schecter *Falun Gong's Challenge to China: Spiritual Practice or "Evil Cult". (New York: Akashic Books, 2000, 254pp.)*. Falun Gong practitioners have made wide use of the Internet both to present their views and to provide information on repression. See: www. falundafa. org and www. falundafa. org/world.htm. The Chinese Government's prolonged attacks on Falun Gong practice in the press and television is published in five booklets *Falun Gong is a Cult* (Beijing: New Star Publishing, 1999, 314pp). One will also find extensive articles reflecting the Government's position on the web sites of *China Daily* and the Xinhua News Agency (www. xiinhua.org).

4) In the light of information given to us in good faith, the Association of World Citizens here presents a nine-point programme to advance human rights and the rule of law by a revision of the policy and practice of the Government of the People's Republic of China toward the spiritual movement Falun Gong so that internationally-recognised human rights standards are met. The bulk of these revisions can be carried out only by the Government of the People's Republic of China. However, we in the human rights community have a duty to uphold the norms set out in universally-recognised declarations and covenants. We also have a duty to help the Government of States to find proper solutions when, through fear and bad advice, they take short-sighted measures which are harmful and destructive of social harmony. The banning and repression of Falun Gong is one such destructive measure.

5) Therefore, We call for the lifting of the ill-advised ban of 22 July 1999 against Falun Gong practice which began an ever-wider cycle of repression against Falun Gong practitioners. The ban against Falun Gong practice without a trial or other form of public

examination is a violation of the spirit and provisions of the *Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion of Belief*. The ban was the first act which created a negative spiral of actions and repression. Therefore, the first action to reverse the spiral toward a movement of justice and harmony must be a lifting of the ban.

6) We call for the release from the *laogai* -"reform through labour" camps of Falun Gong practitioners who have been placed in these camps on administrative orders without a trial and with no date for their release. The *laogai system of administrative detention is the weakest link in the Chinese rule of law, and UN human rights bodies such as the Committee on Torture have made repeated comments on the need to abolish or profoundly reform these forms of administrative detention.* In practice, families of persons placed in administrative detention have not been notified. Conditions in the camps open the door to many abuses and arbitrary decisions. In addition, the "custody and repatriation" system has been widely used against Falun Gong practitioners, especially those going to Beijing to appeal for their rights. The custody and repatriation system of administrative detention is also a very weak link in the rule of law.

7) We call for the release from police jails and prisons of Falun Gong practitioners held in arbitrary detention in conditions which do not meet internationally-recognised standards. Many persons have been held without trial, unable to communicate with family members, and without access to lawyers.

8) We call upon the Authorities to investigate the many accusations of torture and degrading punishment of Falun Gong practitioners in jails and prisons. If these accusations are exact, measures should be taken against torturers in keeping with the *Convention against Torture* ratified by the People's Republic of China. In particular, there needs to be careful investigation of torture and abuse against women Falun Gong practitioners. There seems to be a persistent pattern of abuse of women in police jails and prisons. In addition to wide-spread testimony of torture, there have been serious accusations of deaths in jails and prisons. Such accusations need impartial investigation.

9) We call upon the Authorities to investigate accusations that Falun Gong practitioners have been placed against their wills in mental institutions and forced to take drugs unrelated to their needs.

10) We call upon the Government to allow a serious legal defence of all Falun Gong practitioners which the Government may decide to bring to trial. Such trials should be in open court. Legal counsel should have time to prepare a defence, to call witnesses, and to plead for acquittal. Trials should be announced in advance so that family members can attend. The trials of Falun Gong practitioners which have already taken place should be revised as they did not meet international standards of fairness nor of the independence of lawyers and judges.

11) We call for the release of publishers and printers of Falun Gong books, booklets, and audio-visual material. These individuals are held for printing material which was not banned at the time of printing, a clear case of an *ex post facto* prosecution.

12) We call upon the Authorities to investigate accusations that Falun Gong practitioners have been pressured to renounce Falun Gong practice through loss of jobs, loss of housing, loss of access to schools and education, loss of pensions. Such harassment is particularly severe against Government civil servants who have practised Falun Gong. When such accusations are accurate, remedial steps should be taken to restore work, housing, access to schools, pensions, and all other rights and benefits of the individual.

13) We call upon the Government to revise the law against "evil cults" of 30 October 2000 - a law specifically designed to justify the measures already taken against Falun Gong practitioners and which is being increasingly used against other spiritual movements and practices.

14) We urge the Government to invite the relevant Special Rapporteurs of the UN Commission on Human Rights and such advisory staff as is needed to facilitate these revisions of policy against Falun Gong practitioners. We believe that these measures will help create social harmony and allow individuals to act in keeping with their conscience.